

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MICHAEL D. SILER, )  
)  
Plaintiff, )  
)  
v. ) 1:11CV303  
)  
CAROLYN W. COLVIN, Commissioner )  
of Social Security,<sup>1</sup> )  
)  
Defendant. )

**ORDER**

On August 19, 2014, the Recommendation of the United States Magistrate Judge was filed (Doc. 14) and notice was served on the parties pursuant to 28 U.S.C. § 636(b). On September 5, 2014, Plaintiff filed an objection (Doc. 16).

The court has reviewed the portions of the Magistrate Judge's report to which objection was made and has made a *de novo* determination, which is in accord with the Magistrate Judge's Recommendation. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that that the Commissioner's decision finding no disability is AFFIRMED, Plaintiff's Motion for Summary Judgment (Doc. 9) is DENIED, Defendant's Motion for Judgment on the

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<sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013, resulting in her substitution as Defendant, pursuant to Federal Rule of Civil Procedure 25(d).

Pleadings (Doc. 11) is GRANTED, and this action is DISMISSED WITH  
PREJUDICE.

/s/ Thomas D. Schroeder  
United States District Judge

September 30, 2014